

**REMARKS:**

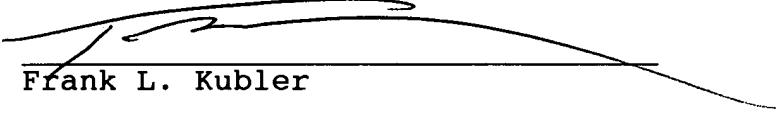
Favorable reconsideration of this application is respectfully requested.

The allowance of claims 3-10, 12 and 14 is noted.

Claim 11 was rejected under 35 U.S.C. section 103(a) as being unpatentable over Day (U.S. 5,014,639) in view of Delfosse (U.S 6,213,042). Claim 11 is canceled without prejudice to forward the application to allowance, with the intention of filing a continuing application further arguing the allowability of claim 11.

If there are any reservations about issuing a Notice of Allowance for remaining claims 3-10, 12 and 14, a telephone interview is respectfully requested.

Respectfully submitted,

  
Frank L. Kubler

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CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 29th day of August, 2005.

Signed:

A handwritten signature of Frank L. Kubler, written over a solid horizontal line.

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|--------------|-------------------|
| Applicant:   | David Perko       |
| Serial No. : | 10/701,338        |
| Filed:       | November 4, 2003  |
| For:         | BUOYANT TUBE SHIP |
| Examiner:    | L.A. Olson        |
|              | Group: 3617       |